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6 Attorney for defendant STEVEN FOSTER

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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
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13 UNITED STATES OF AMERICA,) No. CR 10-0450 EJD
14 Plaintiff,) **STIPULATION AND ~~PROPOSED~~**
15 vs.) **ORDER CONTINUING STATUS**
16 STEVEN FOSTER) **HEARING**
17 Defendant)
18)
19)
20)

21 The parties stipulate, and request that the court Order, the following:

22 1. Mr. Foster, the accused in the above case, is currently scheduled for a
23 status hearing on February 4, 2013 at 1:30 PM. By this stipulation and proposed
24 Order, the parties are jointly requesting that the status hearing be moved to March 11,
25 2013 at 1:30 PM.

2. Counsel for Mr. Foster, Peter A. Leeming, will be in trial in the case of
US v. Roller, CR 08-00361 RMW on February 4 and will therefore not be available.

The parties have discussed the date of March 11, 2013 as an alternative status
conference date and respectfully request the court continue the hearing until that date.

3. For the above reasons, the parties respectfully request that the hearing
date of February 4, 2013 be vacated, and a new hearing be set for March 11, 2013, at
1:30 PM, and that the time from February 4, 2013 to March 11, 2013 be excluded
under the speedy trial act for the effective preparation of counsel and for continuity
of counsel.

Respectfully submitted,

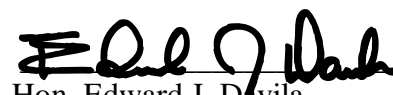
Dated: January 27, 2013

By: _____/s/_____
PETER A. LEEMING,
Attorney for Steven Foster

/s/ Jeffrey B. Schenk
Assistant U.S. Attorney

IT IS SO ORDERED.

DATED: 1/30/2013


Hon. Edward J. Davila
United States District Court Judge